
SENATE BILL NO. 289—SENATOR DENIS

MARCH 16, 2015

JOINT SPONSOR: ASSEMBLYMAN PAUL ANDERSON

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the protection of technology. (BDR 19-892)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to homeland security; requiring each provider of Internet protocol service which serves an agency or political subdivision of this State to maintain certain peering arrangements within this State; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Nevada Commission on Homeland Security and
2 requires the Commission to make recommendations with respect to actions and
3 measures to protect residents of this State and visitors to this State from potential
4 acts of terrorism and related emergencies. (NRS 239C.120, 239C.160) This bill
5 requires each provider of Internet protocol service which serves an agency or
6 political subdivision of this State to interconnect and maintain a peering
7 arrangement within this State with all other such providers of Internet protocol
8 service.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 239C of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 6, inclusive, of this
3 act.

4 **Sec. 2.** *The Legislature hereby finds and declares that:*



1 *1. Physical and digital risks inherent in the use of an*
2 *unnecessarily indirect path for the delivery of Internet protocol*
3 *service threatens the security of the State's communications and*
4 *computer systems, and these threats can be avoided by peering*
5 *between providers of Internet protocol service which serve this*
6 *State and other providers of Internet protocol service within this*
7 *State.*

8 *2. Peering between providers of Internet protocol service*
9 *which serve this State and other providers of Internet protocol*
10 *service within this State increases redundancy and resiliency,*
11 *enables more efficient control of the routing of network traffic,*
12 *improves performance and avoids natural and man-made risks*
13 *and data security issues inherent in the interstate transmission of*
14 *data belonging to this State.*

15 *3. It is necessary for the protection of the residents of this*
16 *State to ensure that the State receives Internet protocol service*
17 *from providers which use reasonably current technology to deliver*
18 *service through a geographically proximate and reasonably direct*
19 *path.*

20 **Sec. 3.** *As used in sections 2 to 6, inclusive, of this act, unless*
21 *the context otherwise requires, the words and terms defined in*
22 *sections 4 and 5 of this act have the meanings ascribed to them in*
23 *those sections.*

24 **Sec. 4.** *"Internet protocol service" has the meaning ascribed*
25 *to "Internet protocol-enabled service" in paragraph (a) of*
26 *subsection 3 of NRS 704.685, except that the term includes Voice*
27 *over Internet protocol service as defined in paragraph (b) of*
28 *subsection 3 of NRS 704.685.*

29 **Sec. 5.** *"Peering" means the voluntary physical*
30 *interconnection of administratively separate Internet networks for*
31 *the purpose of exchanging traffic between the users of each*
32 *network.*

33 **Sec. 6.** *1. Each provider of Internet protocol service which*
34 *serves any agency or political subdivision of this State shall*
35 *interconnect and maintain a peering arrangement within this*
36 *State with all other providers of Internet protocol service which*
37 *serve any agency or political subdivision of this State.*

38 *2. An agency or political subdivision of this State may not*
39 *obtain Internet protocol service from a provider of Internet*
40 *protocol service if the provider has not complied with the*
41 *provisions of subsection 1.*

42 **Sec. 7.** *1. Except as otherwise provided in this section, the*
43 *provisions of sections 2 to 6, inclusive, of this act do not apply to or*
44 *otherwise affect a contract or other agreement for the provision of*
45 *Internet protocol service entered into before October 1, 2015.*



1 2. Each agency and political subdivision of this State shall, as
2 soon as practicable, take all action necessary to ensure that it obtains
3 Internet protocol service only from providers of Internet protocol
4 service which comply with the provisions of subsection 1 of section
5 6 of this act.

6 3. On or before December 31, 2016, each agency and political
7 subdivision of this State shall terminate any contract or other
8 agreement for the provision of Internet protocol service from a
9 provider of Internet protocol service who does not comply with the
10 provisions of subsection 1 of section 6 of this act.

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